

Department of Justice

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U.S. Attorneys Office Reaches Second Settlement For Violation of Attorney Anti-solicitation Provision from the Colgan Air Flight 3407 Accident near Buffalo, New York

BUFFALO, N.Y.- United States Attorney Kathleen M. Mehlretter announced that on January 22, 2010, Attorney Carl Collins and the United States agreed to settle a civil action by the United States against Collins for improperly soliciting families of victims of an air carrier accident that occurred in upstate New York in February 2009. The settlement came following a Department of Transportation Inspector General ("DOTIG") investigation requested by the National Transportation Safety Board.

The investigation revealed that Collins, an attorney in Detroit, Michigan, violated a federal statute, 49 U.S.C. § 1136(g)(2), which prohibits solicitations by attorneys within forty-five (45) days after an air carrier accident. Collins sent an unspecified number of letters soliciting legal business to the families of the victims of the Colgan Air Flight 3407 accident that occurred near Buffalo, New York, on February 12, 2009. The letters were sent on February 24, 2009 - just twelve days after the accident. A civil complaint was filed against Collins in September of 2009 in the District Court for the Western District of New York.

In August of last year, the United States reached a similar settlement with Richard J. Weiner, a New Jersey attorney, who admitted to improperly soliciting the families of the Flight 3407 accident victims.

United States Attorney Kathleen M. Mehlretter stated, "This statute was set in place to prevent grieving families of air carrier crash victims from being subjected to attorney solicitations during an extremely difficult time in their lives. It is our hope that these settlements will place attorneys across the country on notice that a violation of this statute will not be tolerated."

Mr. Collins' solicitation is attached.

